

From: webmaster@aberdeencity.gov.uk
To: [PI](#)
Subject: Planning Comment for 160341
Date: 22 April 2016 14:05:55

Comment for Planning Application 160341

Name : Mr Nicol Bradford
Address : 2 Harlaw Place
Aberdeen
AB15 4YW

Telephone :

Email : [REDACTED]

type :

Comment : Please note that this objection has also been sent separately by email.

Planning Application 160341 (Chester Hotel, Variation to Condition) – Objection

I wish to submit an objection to the above planning application as detailed below.

Again it is disappointing to see the Chester Hotel continue to seek modifications, following on from the previous Variation Application 151997 (Jan 16). Given that this was a specific condition of the original approval (intended to alleviate concerns) and complaints were submitted regarding the out-of-hours use of the –unlocked– gate as part of objections to a previous planning application, this clearly shows that the Chester Hotel have taken no notice of, and have no regard for, the concerns and wellbeing of their neighbours.

In simple terms, it is not appropriate that the solution to unlawfully leaving a gate open is to allow it be left unlocked with uninhibited access, regardless of the time limit.

The application is essentially the same as the previous 151997 (albeit with less detail included), with the same objections. There is no guarantee that the hotel will lock the gate out-of-hours, and no real way to confirm this is done – there is a clear risk that this will be forgotten about, and in time will be habitually left open throughout. Whilst it is open there is no guarantee that guests/staff/public will not use the gate – but it will be easy to give an excuse after the event. The objections are on the basis of potential increased traffic, disturbance, noise and parking in the lane and the surrounding neighbourhood. When the gate is unlocked there is no realistic control over the vehicle (or taxis / public) access. No specific instances or frequency of congestion have been stated. The condition has been in force from the beginning, so it is for the Hotel to plan work within those constraints.

It is a concern that this application is another example of creeping change, to gradually achieve an objective not possible by a single application. It is a concern that if this is approved the hotel may make further modifications to the public and vehicle access which will further increase the noise and disturbance to the neighbours. For example they could move all parking to the rear of the hotel, or move all guest vehicle access to the rear lane, or allow taxi access to the rear lane, or guest entry/egress via the rear lane.

On any delivery, contact must always be made with the hotel to announce an arrival on the premises and to alert relevant staff. It is noted from the observations given by the Roads Projects to Application 151997 that there is no traffic congestion noted (even given the high delivery frequency quoted by the hotel) and no reason to vary the condition, and that a technical solution is available – this should still hold true.

Therefore, there is simply no need to leave the gate unlocked (against the original planning conditions) when an alternative fully compliant solution is available (i.e. security gate).

Regards, Nicol.

Mr Nicol Bradford

2 Harlaw Place, Aberdeen
AB15 4YW



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Planning Application number 160341

Dear Members of the Planning Department,

I wish to submit my objection to the above referenced planning application by the Chester. In essence nothing has changed from their previous application. I have included my original objection below as the principles are unchanged.

Their current application for open access between 8 am and 1 pm covers a period of time when there will be a high level of traffic by their 48 guest vehicles. This is the time when guests check-out and new guests check-in and non-residents also arrive for business lunches.

This is also a time when residents make use of the lane leaving for work.

It is very disappointing but not surprising that their supporting letter makes no mention of this.

They have chosen a peak traffic period and my previous concerns about the risk safety remains.

In response to Application P121555 the Planning Department suggested that a security gate be installed. I also suggested that and have now highlighted that in Bold below.

The Hotel's supporting letter lists long winded typically spurious reasons as to why they need open access between 8-1. There is no mention of your common sense recommendation that they install a security gate.

There is a reason why the Chester do not wish to install an electronic gate – ultimately, they will push for ever more extended access to the rear car park via the back lane. An efficient security gate system would not support this ultimate goal. In what has now sadly become a tradition, the Chester employs an incremental approach in order to achieve their end goal – neither money nor “time wasted” is a consideration for them. In this case, their objective is to have unlimited access to the rear car park for All vehicles. The open gate 8 – 1 concession, if granted, would only be the beginning. If they chose to accept your recommendation and install an electronic gate, this would put an end to their ultimate goal of open access.

They state concern over the issue of time wasted – highlighting their own staff of course. The Chester is responsible for time wasted by their refusal to accept your common sense recommendation of an efficient security gate system. Local residents, the Planning Department and Planning Committee – all have to spend time responding to the endless harrying requests for variations by the Chester, many of which are withdrawn at the last minute if the recommendation goes against them. It is time to stand by your sensible and fair recommendation and send a message to the Chester Hotel that this approach is now recognised for what it is and will not be tolerated any further by the Planning Department.

We implore you to stand by your initial sound recommendation to install an electronic gate. If an efficient means of access by delivery vehicles is their sole objective then this is the perfect answer.

Objection to Planning Variation Number 151997 Variation of Condition 11 attached to application reference number P121555.

There is a total of 48 car parking spaces on Chester grounds. Regardless of all varying, spurious estimates of how many drivers may or may not choose to access the Chester carpark via front or back entrances, the fact remains – 48 cars would have the right to seek entry and exit to the Chester Hotel via the rear gate. This is a huge increase in the additional amount of possible traffic on Queens Lane South. This would lead to increased traffic with consequent additional safety risk and noise disturbance.

Access to Queens Lane South is not from a main road at either side. On the West side the lane runs from Harlaw Road and winds round a right angle corner before it straightens on to the main straight

run of Queens Lane South which passes in front of the Chester's rear gate. Drivers negotiate around that corner too quickly— and invariably place themselves in the middle of the road in order to make the sharp turn. On many occasions we have witnessed instances of near misses when two cars meet at that blind bend or a pedestrian is rounding the bend in the opposite direction to an oncoming car.

The lane is not only used by drivers but pedestrians walk there, dog walkers use the lane and children bike in the lane. There is no safe pavement. Are you really willing to take on the responsibility of the increased potential for harm being done to the public - walking or driving - by approving this Variation application? We have heard a lot of Health and Safety issues being cited by the Chester as a means to their own ends – in this case the greater Health and Safety issue most definitely sits on the side of not encouraging further traffic on the lane.

On the point of traffic congestion. This is a lane, not a main thoroughfare and we have witnessed no more hold ups than often experienced on many streets in Aberdeen where a degree of tolerance must be exercised when routine events such as bin collection happens. On the point of access for delivery trucks, we would suggest the obvious – that the Hotel install an electronic entry code system which would get around any alleged back up problems. This is a standard means to gain access.

The provision of access to hotel parking via the rear gate would, however, provide the Chester Hotel with the means to reduce traffic on their own property – a point not touched upon in their statement of support. The theory of the greater good for all is a much more persuasive angle to pursue.

The point about emergency access via the rear Lane shows the Chester's disingenuous reasoning at its best. Are we seriously to believe that any ambulance would choose to gain access to the Chester Hotel via a narrow lane as opposed to just driving in the main entrance and reporting in immediately at the main reception desk?

If an emergency call is made specifically requesting attendance at the rear car park would it not be reasonable to assume someone from the Chester would be present at the scene to facilitate entry? Either way an entry code system would solve the problem.

Queen's Lane South is a narrow lane, it is not a lane which runs straight making manoeuvres easy, it is not a lane which affords drivers good visibility. It therefore, is not a suitable site on which to encourage any further traffic.

We respectfully ask the Planning Department to deny this variation. In spite of the mantra which all unfortunate residents of this neighbourhood must by now be aware of that - "each application must be considered on its own merits" – we should recognise is just another link in a now very familiar chain of Chester Hotel Retrospective Applications and Variations made with no regard for the surrounding neighbourhood.

The Variation applied for has no merits and poses a real safety concern and further loss of neighbourhood amenities due to increased traffic noise.

CONCLUSION

The Planning Condition relating to having the gates locked is an outdated legacy from a previous planning consent –

“ Outdated legacy” is a subjective statement based solely on an opinion – consideration of Safety and Noise implications of traffic in the Lane is NOT an outdated issue.

“Locking the gates actually leads to traffic congestion on the lane”

If the Chester Hotel is being honest in this statement and sincerely concerned about causing traffic congestion in the lane –Then the solution is very simple and employed by thousands of private . All they need to do is install a keypad lock with combined entry phone system. They would simply issue the key code to all scheduled service operators (not to hotel guests for parking). These systems are available for under £200 and come with a phone unit to connect to reception. As a failsafe, emergencies can be dealt with by attaching a sign informing service and emergency vehicles with the contact number of the hotel reception. The person on duty would either physically unlock the gate / remotely release the lock or advise the code.

“ The adjacent Malmaison Hotel has a similar car park, with no gate”

Reference to the Malmaison is not a reason to willingly exacerbate an unsatisfactory situation – the old saying “Two wrongs don’t make a Right” very much applies here. By adding the traffic of nearly 50 cars to the traffic in the lane will create a danger to the residents and the general public who have the right to use the lane and are already put at risk due to the traffic of Malmaison.

“Unlocking the gate is unlikely to lead to any significant increase in traffic use of the lane nor to parking on the lane, since it is proven that adequate car parking already exists on the Chester Hotel site”

This is a misleading statement – there is NO connection between adequate parking on the hotel site and the resultant lack of increase of traffic on the Lane.

This statement is pure speculation – there is NO way to predict accurately how customers will choose to access parking within the Chester site if they have two options – the very word “unlikely” confirms that the Chester does not know this for a fact. To use Chester phraseology – this variation would actually be extremely LIKELY to increase traffic on the lane.

Isobel Vorenkamp
24 Harlaw Road

Planning Application number 160341

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Mark Vorenkamp
24 Harlaw Road

From: [REDACTED]
To: [PI](#)
Subject: Objection to Planning Application P160341
Date: 15 April 2016 01:24:11

Dear Sirs

I am writing to object to the above application for variation of condition 11 attached to application P121555 to allow use of the rear access gates at the Chester Hotel between 8AM and 1PM.

With reference to the Supporting Statement I would comment as follows:-

1. Reference is made to 'bad feeling' being created with neighbours and 'wasting of valuable time of hotel employees, planning department staff and council enforcement officers etc.' (Needless to say, there is no mention of the numerous hours wasted by neighbours in analysing the latest in a long series of retrospective and other vexatious planning applications!). It is not a valid argument to ignore a rule, or fail to observe it, and then suggest that the ensuing complaints / bad feeling / time wasting can be avoided by either removing or simply time restricting the rule in question. Rather this seems to be putting things back to front. If staff had been properly trained and a gate entry system installed there would be no complaints, no bad feeling and no wasting of anyone's time. In short, instead of adhering to the rule they seem to be asking for a change in the conditions to allow them to operate in the way they would prefer.
2. The hotel apparently do not want 24/7 access. Why then did they apply for it only a matter of months ago? (application P151997 withdrawn because it was recommended for refusal). Present restrictions could easily be adhered to - where there is a will there is a way. Simpsons managed. Again I would suggest a keypad operated barrier system as mentioned by the Roads Department and the Planning Department in their Recommendation for Refusal of P151997 above.
3. It is hard to believe the quoted figures of an average of 25 deliveries a day and a 7 fold increase in linen requirements since the hotel was operated as Simpsons. Indeed the quote of upwards of 40 deliveries on some days would involve 5 hours 20 minutes of deliveries in a 5 hour period! In any event I would reiterate that the aforementioned keypad operated barrier system would allow deliveries to be made with no more waste of time than if the gate were open. No man power would be required apart from pressing a button. After all an employee still has to go and unload/check goods etc. whether the gate is locked or not.
4. It is suggested that the hotel is 'generally empty of residents/guests ...between 8AM and 1PM'. How can this be so? Check out time on the hotel's website appears to be up to 1PM in the afternoon, so guests will obviously be leaving the hotel car park up to that time. In addition people will be arriving for breakfast meetings from 7AM onwards or lunch from around 12AM. It is simply not credible to claim that there will be next to no one entering or exiting the car park during this period. In fact this is the most likely time that overnight guests will be leaving. In addition, it is the time when residents are going to work or children are going to school raising questions of safety due to the inevitable increase in traffic in the lane. By the

hotel management's own admission the hotel is very busy- in fact they are effectively claiming a seven fold increase in the volume of business from the time of Simpsons! They can't then have it both ways and claim that the car park will be devoid of traffic between 8am and 1pm.

5. The delivery process will not be sped up by opening the gate - the barrier system would be just as quick. The lane is not blocked by deliveries as it is wide enough for two vehicles at the entrance to the car park (the gate is recessed).

Summary

Crucially, it cannot be claimed that the period between 8AM and 1PM is not a peak period of parking demand at the hotel when the hotel regularly offers not only accommodation including late check out but breakfast meetings, all day seminars, lunches, weddings and other functions. In short, the peak period can vary according to what particular events are taking place at the hotel on any given day and can therefore easily include these times. Furthermore the period in question coincides with times when children are likely to be going to school or cyclists using the lane [a designated cycle route].

The hotel is not genuinely seeking to have the gate open to facilitate deliveries. If that were the case, they would simply have followed the advice of numerous of their neighbours and others and adopted the TECHNICAL SOLUTION suggested by both the Roads Department and indeed the Planning Department in its Recommendation of Refusal of Application P151997, namely, the installation of a KEY PAD OPERATED BARRIER SYSTEM. Might I suggest that this would also be a very simple way of eliminating the complaints from neighbours and resultant "bad feeling "referred to.

It certainly cannot be a question of the expense which is deterring them judging by the amounts that they must have expended to date on their endless planning applications. It does nevertheless lead to the inevitable impression that what is actually being sought is an opportunity to open up the car park so that patrons of the hotel can come and go at will via the lane.

This application has been dressed up as a compromise but the original condition itself was in fact the compromise when planning permission was granted for a huge function suite with all the extra traffic that that entails. Indeed approving this application would REMOVE THE COMPROMISE and once removed it cannot be reinstated whatever the safety, congestion, rogue parking, noise, loss of amenity etc. issues which must inevitably come into play.

Finally in order not to waste anyone's time any further (my own included) I simply incorporate the points made in my objection to planning application P151997(- see below) which apply equally to the current application.

P151997 objection:-

Dear Sirs,

It is with a feeling of dismay and despair that I write this objection. We have only just received a decision on one of a myriad of retrospective planning applications by the owners of the Chester Hotel and yet another one lands on our doorstep.

How long will it be before all the, albeit very limited, restraints on the hotel's destruction of the amenity of our area are completely eroded? It feels like a battle we are bound to lose but in the vain hope that any attention will be paid to my reasons for objecting to the latest incursion I nevertheless list them as follows:-

Justification

1. It is suggested that congestion caused by delivery lorries/vans will be minimised if the gate is left unlocked as the hotel operator requires to manually admit them. This is incorrect. There is no congestion caused as there is a space adjacent to the gate and clear of the lane which allows a van or lorry to park without obstructing the lane. Moreover, the only reason that manual admission is required is because the Chester Hotel management deliberately decided NOT to install a proper gate entry system instead choosing to make use of a somewhat tacky note in a plastic bag and a bicycle lock. It appears that there was no real intention to comply with the gate restrictions long term but simply to pay lip service to them until they could get them changed. Nevertheless it would still be a perfectly simple task to install a system giving immediate entry at the touch of a button.
2. The Malmaison Hotel is used as an argument for allowing unrestricted access to Queens Lane South. There is no direct comparison for several reasons - Firstly - there is no alternative vehicular access to Malmaison's car park, but this is not the case with the Chester - Secondly and crucially, Malmaison does not have a function suite with a capacity of 300 people which would give rise to a realistically substantially larger parking requirement. Finally there has been a problem with overspill parking. Indeed I am aware of the fact that neighbours in the vicinity have had their garage entrance blocked by Chester Hotel employees' cars.
3. It is argued that the condition is a legacy from the past. It may well be, but with the hugely increased capacity of the Chester compared to Simpsons let alone the increased traffic to and from Malmaison, it is more needed than ever. Moreover, parking restrictions cited DO NOT APPLY AFTER 5PM WEEKDAYS AND ALL WEEKEND which are of course the busiest times for use of the hotel. Therefore I would reiterate that far from being outdated the condition is more needed than ever.
4. Reference is made to safe entry for emergency vehicles. It beggars belief that the hotel could operate, have a licence or be insured without this issue having been previously addressed to the satisfaction of the emergency services. In addition, one would assume that access via Queen's Road would be preferable to using a narrow lane with a difficult sharp corner to negotiate, if at all possible. Finally presumably if a proper entry system were installed immediate access could be gained anyhow.

Parking Survey

1. No credence can be given to a parking survey that is not independent.
2. We have had no opportunity to arrange our own survey.

3. As stated above (re- Justification) there is huge potential for a shortage of parking at the Chester particularly at times when there are no parking restrictions in the lane. Obviously if someone finds no space in the car park and the gate is open they will try the lane next. It is not credible to argue otherwise.
4. It is stated that the gates will be kept shut 'when not in use'. This is completely undefined and therefore meaningless. It could be in use all the time! The Chester management cannot be trusted - they do not follow rules as has been abundantly borne out by their conduct dating from the start of the construction of the hotel. We and our neighbours have had to make repeated complaints about noise, gates being left open and deliveries outwith permitted hours. Indeed on one occasion Graham Wood himself advised one of my sons that he would not turn down loud music late at night (which was audible in our bedroom) because it would be 'bad for business'. In short, they are bad neighbours and allowing the restriction to be removed would simply give them *carte blanche* to do whatever they wanted.

Conclusion

1. The planning condition relating to having the gates locked is a legacy from a previous planning consent but rather than being outdated it is more required than ever.
2. Locking of the gates does not lead to traffic congestion on the lane but installation of a proper gate entry system would mean that there would be no delay in accessing the car park for service and delivery vehicles.
3. The Malmaison hotel is not comparable having a vastly smaller capacity and no other access to the rear car park.
4. It is disingenuous to state that unlocking the gates is unlikely to lead to any significant increase in traffic use of the lane nor to parking in the lane as there is inadequate parking on the overdeveloped Chester site.
5. Removal of the restrictions would lead to increased parking, noise and traffic in the lane. This would pose an increased danger to cyclists on what is a designated cycle route. In addition the entry/exit to the lane at Forest Avenue is opposite a large school and nursery therefore this additional traffic would increase the likelihood of accidents. In the other direction there is a sharp blind corner which already poses a hazard and again increased traffic would make accidents more likely.
6. Approving this planning application would be a further erosion of the amenity of the area, the lane in question separating the hotel from a wholly residential street.

Best regards

Jennifer West
26 Harlaw Road
Aberdeen AB15 4YY

From: [REDACTED]
To: [REDACTED]
Subject: Object to Planning Application P1603
Date: 14 April 2016 23:16:03
Attachments: [IMG_0416.JPG](#)

Planning Application Number P160341 – Variation for opening the gate of the Chester Hotel onto Queens Lane South

This is an objection to the above application.

It is with a further feeling of despair that I received yet another planning variation application for the Chester Hotel.

I highlight that the hotel today had a collection of bins before 7AM, outwith the allowed time. This demonstrates that even with a 'locked' gate they cannot control the entry and exit. The hotel have failed to provide a facility to prevent entry and exit and this should be an enforcement issue to ensure that they have provided means that will prevent entry and exit. This also demonstrates the contempt that the management have for local residents.

The supporting statement states that the Hotel does not want the gate open all the time, then why did they apply for it to be open in P151997? It was recommended for refusal and withdrawn at the last moment. It is well noted that the new application was submitted at the start of the school holidays.

The owners were well aware of the conditions of the planning when they decided to build The Chester Hotel. They decided not to make serious arrangements for the control of the back gate and now are endeavouring by all and any means to vary the planning conditions, with no expense spared in their quest to achieve complete freedom to do whatever they want.

This is not a new situation for the Chester Hotel. Graham Wood has stated to our son that turning down the noise late one Saturday evening would be 'bad for business'. This demonstrates the attitude of the Chester Hotel towards their neighbours – absolute contempt.

It is well noted that the 'supporting statement' does not acknowledge the neighbours as people of any consequence. The only people with 'valuable time' are considered to be hotel employees, planning department staff, council enforcement officers and the police. Quite simply if the hotel had a management team that had respect for the planning conditions then they would not need to apply for variations, or waste the time of their staff, enforcement officers, planning department staff, the police or their neighbours.

There appears to be a theme in the supporting statement around demonstrating that there will be little demand for using the rear gate during the period requested (8AM to 1PM). The times when there are peak periods of parking demand vary all the time depending on the hotel activities. It is entirely possible for there to be a 350 person conference all day every day with delegates arriving by car. Also, it is very possible that there will be breakfast meetings and if these finish before 9AM attendees can park in the lane without restriction, causing considerable congestion. Guests will be departing during the morning, I have personally observed this when the gate is open and many patrons used the entrance and the lane - some of the photos are shown below. I have seen on many occasions cars parked in the disabled space without badges -clearly demonstrating a problem with parking at the hotel.

There can be no time defined that will at some stage or other not be a 'peak period of parking'. The decision notice for the application P151997 suggests that the condition is required for 'peak periods of parking'. Is it coincidental that the latest applications is trying to demonstrate that 8AM to 1PM is not a peak period and then the previous decision can be amended? This would be farce is such an argument.

The condition relates to preserving amenity for local residents. A change as proposed would reduce the amenity.

The hotel use a notice in a plastic bay and a bicycle lock to control the gate. This is hardly credible in this day and age. It is no wonder that they have to spend so much time locking and unlocking it.

I would point out that the Chestnut Hotel do not have an access from Albyn Lane, which is what they appear to be seeking permission for in their supporting statement. I have to assume that the professional people preparing the statement are at the same level of despair when they cannot be bothered to check their documents. This application appears to be will be just another step in the process of obtaining 24 hour access. The supporting statement looks like the result of a 'what on earth can we think of session with yellow postit notes'. Just about every line is amusing. Apparently there are no guests there after eight in the morning – sounds like a youth hostel? This supporting statement cannot be taken seriously. By the way the hotel website suggests that check out can be up to 12 noon, or even 13:00?? Very confusing? The pictures of the car park are equally pointless and I have regularly sent Matthew Easton pictures of the car park full - with non-disabled cars in the disabled space.

The main reason why the hotel want the removal of the condition is because they 'do not have the man power' for the task of opening and closing the gate! Are they ready to take the responsibility for one accident resulting from the opening of the rear gate for the period they are requesting?

Crucially the memo from the roads department on 4/3/2016 reference TR/GW/1/51/2 states that 'Roads Development Management are concerned a variation to the condition to allow use of the rear access gates would not serve a useful purpose and may have a negative impact on users of the rear lane. Restricting use of the rear gates currently serves to deter hotel users from possible rogue parking in the rear lane. Rogue parking in the rear lane would create safety and obstruction issues for users of the lane including residents, walkers and cyclists'. Furthermore, 'Delivery vehicle access in the rear lane is regarded as an issue with a technical solution. A key pad operated barrier system would restrict access to the rear of the hotel for deliveries only and not cause inconvenience to the hotel'. What more needs to be said?

I attach my previous objection to the request to open the gate for 24 hours a day (Objection to P151997). All the arguments are still valid.

The times for opening the gate will increase the traffic in the lane at times when children will be going to/from school, cyclists are using the lane as patrons will inevitably use the lane for entry and exit. There is no basis for changing the previous recommendation for refusal.

The Chester claim that they have far more deliveries than before. They claim 8-9 minutes per delivery. The staff that have to control the deliveries will have to do so anyway and the opening and closing of the gate is a minor part of the activity (with a simple technical solution it could be at the push of a button, and with intelligent management this task could be for the delivery driver, saving the valuable staff member's time). This is a non-argument. Anyway, the Chester knew this before they built the hotel and perhaps should have addressed the problems they are having rather than 'exempt' their way out of the planning requirements.

Once this is refused can we have at least a one year moratorium on any more Chestnut applications please? One source suggests that they are going for the Guinness Book of records for planning applications.

Previous objection to P151997

Dear Sirs

It is with some feeling of despair that I submit this objection to the planning application. It is another application in a long line that characterise the Chester Hotel development - an endless stream since the beginning. The starting point of all decisions so far by the planning authority has been to grant all and any planning application for the Chester Hotel by one route or another. So far there have been no planning applications rejected by the planning authority so it is assumed that this one will be

'approved unconditionally' no matter what evidence is put in front of the planning authority. For instance a non-material variation was granted for a significant infill building and the roof was raised without the neighbours even being made aware of the application (the 'red line' was drawn around a small part of the building, a cynic would say to avoid receiving any planning objections). It is well noted that all other planning applications for the Chester Hotel have the 'red line' drawn around the whole site, even for small items.

Summary of reasons for objection - arguments detailed below:-

- the gate being unlocked will result in more traffic in the lane - more danger of serious or fatal accidents for residents, school children, toddlers or cyclists
- free for all with regard to timing of deliveries and refuse collection resulting in noise for the residents at any time (hotel management have regularly demonstrated their poor attitude to noise)
- Queens Lane South is a designated cycle route (ACC plan) - more traffic will result in greater danger to cyclists, possible serious injury or fatality
- More traffic in Queens Lane South will put the children going to schools and nurseries at greater risk of accidents
- delivery vehicles will take longer in the lane if they are required to open and close the gate (the Chester proposal is confusing is it to remove the lock or open the gate?)
- loss of amenity for the area (Conservation area 4)
- lack of respect by the current management for planning rules, noise restrictions, or their neighbours - the owner when asked to reduce noise refused to do so on the basis that it was 'bad for business'
- access for emergency vehicles should already be accounted for in the plans, licencing and insurance (is there some suggestion that the requirements are not met?)
- lack of consistency with other planning decisions

This seems completely contrary and inconsistent with another planning application (P140896) in the same conservation area 4.

The reasons for rejecting the application P140896 are summarised as follows:- (extract from the planning report)

<http://planning.aberdeencity.gov.uk/docs/showimage.asp?j=140896&index=135279&d=y>

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

That the proposal, if approved, would be significantly detrimental to and thus not preserve or enhance the character of Conservation Area 4 (Albyn Place/ Rubislaw), and would adversely affect the setting of the Category C listed building on site and those Category C and B listed buildings on adjacent sites, due to the excessive length of the proposed development, the loss of the sense of open space within the site and the inappropriate scale of development in relation to the existing building which would result in over-development. The proposal would therefore be contrary to Scottish Planning Policy, Scottish Historic Environment Policy and Policies D1 (Architecture and Placemaking) and D5 (Built Heritage) of the Aberdeen Local Development Plan.

That the proposal, if approved, would set an undesirable precedent for similar developments in the surrounding Conservation Area 4 (Albyn Place/ Rubislaw) which would have a significant adverse effect and undermine the special character of the area.

That the proposal, by virtue of its scale and massing, and its proximity to the neighbouring property at 31 Queen's Road which currently operates as a care

home, would have a substantial negative impact on the amenity of those residents of the care home whose bedroom accommodation at either ground or 1st floor level would face onto the proposed development

One rule for one, another for the Chester (specifically for instance - amenity, character of the area, . loss of open space, over development, scale and massing,)

During the time when the hotel was Simpsons and if the gate was left open at the weekend there was regular indiscriminate parking in Queens Lane South. Entrances to properties were blocked on numerous occasions. Simpsons Hotel however always acted very reasonably and endeavoured to find the culprit blocking the entrances. I do not expect the management of the Chester Hotel to act in such a reasonable manner.

The application is at best confusing. It states that the gates will be kept shut when not in use, how will this be achieved and what defines when the gate is in use? Furthermore the application states that 'it is proven' - that is a very bold statement and it is completely untrue and should not be used in any decision. I have equal proof that the car park is regularly full and an open gate will result in indiscriminate parking.

It is also untrue to state that the Queens Lane South is a controlled parking zone at all times. It is not between Friday 17:00 and Monday 09:00. Also, the area is heavily parked during sports activities on evenings and at the weekend so overspill from the Chester Hotel will have a detrimental effect on those sporting activities by taking up spaces. This is also a safety issue in that more cars from the Chester Hotel will be using Queens Lane South and Harlaw Road putting the people taking part in the sporting activities at more risk due to the increase in traffic. Normally this traffic would be channelled onto Queens Road.

It is important to note that the gate lock is in fact a BICYCLE LOCK. The sign on the gate is a printed A4 piece of white paper in a plastic bag tied to the gate. This in a 5 star hotel looks very tacky and is a demonstration of the poor intent of the management to adhere to the planning requirement by failing to install a permanent or professional door entry system.

The point regarding emergency vehicles is assumed irrelevant. There is presumably an emergency plan for the Chester Hotel and also assumed to be fully compliant, otherwise it would not be open, licenced or insured unless they are operating illegally. The fire brigade will have equipment to open the bicycle lock on the gate in the unlikely event of an emergency, or the hotel would have time to open the gate while the emergency services are on their way. Ambulances would presumably use the front entrance. This argument is a red herring.

The gate being unlocked will diminish the already diminished amenity of the area. It is noted that other developments that would affect Queens Lane South have been rejected as they would reduce the amenity of the area - see above.

The Chester Hotel is completely different to Simpsons. It has a licence until 01:00. It has a function suite for up to 300 people. It has more bedrooms. There are many occasions where the car park is full and the 'parking survey' can only be described as a sample to fit the hotel's argument and not representative of what actually happens. The hotel have presented 'evidence' in the past (for instance a noise report that was completely discredited and quietly (no pun intended) forgotten) and such reports are meaningless unless carried out by a credible and independent organisation that is not funded by the Chester Hotel. I can contribute with at least the same level of authority that I have regularly seen the hotel car park full, including disabled spaces being used by non-disabled people (the disabled space is just inside the back gate and I observed two people walking up the lane one Saturday morning, getting into their car which was parked in the disabled space and driving out the open back gate). I assume the reason they were parked in the disabled space was because there were no other spaces available and it is the last space at the back of the car park. This is just as valid a piece of evidence as the Chester Hotel report and please find below a picture of a patron's car exiting the car park by the open back gate that same morning. You will also see a vehicle parked in an unmarked area due to there being no spaces available. This blows the Chester Hotel survey right out of the water into outer space. It is simply a concocted document designed to support their spurious argument. Furthermore my wife and myself were working in the back garden and lane

tidying up on that occasion and the rear gate was open for many hours so the hotel already openly breach their planning consent conditions. Numerous patrons were observed going in and out through the gate which significantly added to the traffic in Queens Lane South where we were tidying up some garden debris and had to regularly get out of the way of Chester Hotel patrons' vehicles. If this became a known and regular route then there will be an increase in patron's traffic in the lane with additional risks to pedestrians, cyclists (see below as Queens Lane South is an Aberdeen Council designated cycle route). Many of the patrons visiting the hotel have large and/or fast cars and I have seen such cars 'roaring' up the lane at high speed and leaving the gate unlocked will only increase the incidence of such events increasing the potential for an accident or fatality.



The arguments used by the Chester Hotel for 'unlocking' the gate are patently illogical and pointless. If the delivery and service vehicles have to open and close the gates themselves then this will involve **more time** for vehicles being in the lane than before. Also, it will involve the drivers of the vehicles getting in and out of the vehicles which will be a risk for them, **particularly in dark conditions**. If they are alone they will be required to switch off their engines and safely park their vehicles each time they open and close the gate. This will increase, not decrease, the time they are in the lane.

It is more than likely that the delivery and service vehicles will not close the gate. This means that the assertion from the Chester Hotel that the gate will be kept closed when not in use is not a practical solution. The hotel have to maintain a duty to keep the gate closed and the most effective way of achieving this is to lock it.

The application seems to be based on an economic argument in that the hotel do not want to bother with controlling the gate rather than the effect it will have on the pedestrian safety, child safety, cyclist safety, lane traffic or the amenity of the area.

The hotel have a history of opening the gate outwith the permitted hours. Bottles have been collected very early in the morning (I think 05:15). This is a recorded event that the Environmental Health Department are fully aware of and have taken action over. However, in that case the hotel management stated that the bin man did not know about the time restriction for collection (email available on request). Mr Wood did not personally take responsibility but blamed the driver - in fact it was Mr Wood's duty to organise the contract in accordance with the planning regulations. Furthermore and as an aside Mr Wood did not offer any apology to the residents for the early morning bottle smashing incident - merely blaming the poor driver. If the gate is un-locked then there will be no control by the hotel of deliveries or service vehicles and from past experience their last concern is disturbing the neighbours. This is further borne out by Mr Wood stating to my son one Saturday night that it was not possible to turn down the music that was audible inside our house as it would be 'bad for business'. The point is that the hotel management cannot be relied on to be reasonable let alone good neighbours. Allowing the gate to be unlocked would mean that control of deliveries would be completely uncontrolled and the hotel management clearly demonstrated that they do not care about the amenity of the surrounding neighbourhood. Amenity of the surrounding area appears to have played a large part in the decision for P140896.

The reference to Malmaison is not valid. It was probably a mistake to allow parking there as it does add to Queens Lane South traffic and congestion. However, it appears that a front access to the rear was not available unlike the Chester Hotel so it is not a relevant argument.

Aberdeen has defined cycle routes that cyclists are encouraged to use. Queens Lane South is such a route. See <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=65916&SID=13374>

Cycle routes are chosen for the low level of traffic. Traffic will inevitably increase if the gate is uncontrolled on a designated cycle route leading to a significant increase in cyclists being involved in serious accidents.

Cycling accidents are usually serious or fatal.

At the East end of Queens Lane South many children are crossing to go to schools and nurseries. More traffic in the lane will put these children at greater risk. I sometimes use the lane in the morning when my car is in the garage and it is necessary to be extremely careful as there are a lot of small

(very small in some cases as there is a nursery) children and patrons that may be unfamiliar with the area would pose an unnecessary additional risk if the exit from the Chester Hotel is uncontrolled. Forest Road is a 20MPH area at certain times and the Queens Lane South exit has no sign or flashing lights. There is a significant risk that patrons will not be fully aware of the danger to others if they use the exit onto Forest Avenue with the much higher risk to children and toddlers.

Best regards

Alan West

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3rd April 2016

Chester Hotel-Application for use of rear access gates. Application No 160341

Dear Sir

It is disappointing to be presented with yet another application for further planning permission from the Chester Hotel.

I strongly object to the request being placed in front of the Planning Committee.

This proposal has a direct impact on the rear of my property. My garage and garden wall are directly opposite the hotel entrance. At present this entrance is kept locked.

The situation is clear- there is insufficient space for delivery vehicles to turn into the rear entrance of the hotel from the lane. Attempts by vehicles to gain access over the years has led to damage to my property on a number of occasions. As it has always been impossible to identify the specific vehicle which has caused the damage I am left to pay for repairs.

Agreeing to the proposal now presented to you will make matters worse, the situation is already intolerable.

Regardless of any time restrictions that may be requested the fundamental facts remain that there is not sufficient room for delivery vehicles to manoeuvre and turn into the hotel entrance resulting in damage to my property.

Yours faithfully

A solid black rectangular redaction box covering the signature area.